

Introduced by Senator Florez

February 23, 2009

An act to add Chapter 2.10 (commencing with Section 35575) to Part 5 of Division 13 of the Water Code, relating to the Westlands Water District.

LEGISLATIVE COUNSEL'S DIGEST

SB 207, as introduced, Florez. Westlands Water District: electricity generation and delivery.

Existing law, the California Water District Law, specifies the powers and purposes of a California water district. The district law authorizes a California water district to construct, maintain, and operate plants for the generation of hydroelectric power. The district law authorizes a California water district to use the power generated from the hydroelectric plant for its own purposes, or for the production or transmission of water, but prohibits a district from offering the electricity for sale directly to customers, other than a public utility or public agency, for any use other than the production or transmission of water.

This bill would authorize the Westlands Water District, a California water district, to generate, provide, sell, and deliver electricity, and to construct, own, lease, operate, contract for, and maintain any works, facilities, improvements, or property necessary or convenient for that generation and delivery. The district would be generally required to use the electricity generated by the district for the development, conveyance, and delivery of surface water and groundwater supplies or to implement programs to address subsurface drainage within the district's boundaries. The bill would authorize the district to sell, dispose of, or distribute electricity to others, as specified, only if the district does not require the use of all electricity generated by the district.

The bill would make legislative findings and declarations regarding the need for special legislation.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 2.10 (commencing with Section 35575)
2 is added to Part 5 of Division 13 of the Water Code, to read:

3
4 CHAPTER 2.10. WESTLANDS WATER DISTRICT
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6 35575. For purposes of this chapter, “district” means the
7 Westlands Water District.

8 35576. The district may generate, provide, sell, and deliver
9 electricity as provided in this chapter, and may construct, own,
10 lease, operate, contract for, and maintain any and all works,
11 facilities, improvements or property, or portions thereof, necessary
12 or convenient for that generation or delivery or as otherwise
13 necessary or convenient to carry out this chapter.

14 35577. Subject to Section 35578, all electricity generated by
15 the district shall be used by the district solely for the development,
16 conveyance, and delivery of surface water and groundwater
17 supplies or to implement programs to address subsurface drainage
18 within the district’s boundaries.

19 35578. If the district does not require the use of all of the
20 electricity it generates, the district may do either of the following:

21 (a) Sell, dispose of, or distribute surplus electricity for use
22 outside of its boundaries by other public agencies for the limited
23 purpose of addressing water supply or subsurface drainage in the
24 Counties of Fresno, Kings, Madera, or Merced.

25 (b) Sell surplus electricity in the wholesale market monitored
26 by the California Independent System Operator, or to electrical
27 corporations, or local publicly owned electric utilities.

28 35579. Except as provided in Section 35578, the district may
29 not provide, sell, dispose of, or distribute electricity to any other
30 party.

31 SEC. 2. The Legislature finds and declares that this act, which
32 is applicable only to the Westlands Water District, is necessary
33 because of the unique and special electricity requirements in the

1 area included in the district. It is, therefore, hereby declared that
2 a general law within the meaning of Section 16 of Article IV of
3 the California Constitution cannot be made applicable to the district
4 and the enactment of this special law is necessary for the public
5 good.

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